

Serial No.: 10/591,411

REMARKS

Applicants respectfully request reconsideration of this Patent Application, particularly in view of the above Amendment and the following remarks. No additional fee is required for this Amendment as the number of independent claims is not more than three, and the total number of claims is not more than originally filed.

Amendment to the Claims

Claim 24 has been amended to include limitations of Claim 5, indicated as allowable, and intervening Claim 27. Dependent Claims 6, 22, and 28 have been amended in view of amended Claim 24 and canceled Claims 5 and 27. The preamble of all claims has also been amended to recite “perfluorocarbon emulsion” for consistency and clarity with the body of the claim. No new matter has been added.

Restriction/Election

As Claim 24 has been amended to include allowable subject matter, Applicants assert that the withdrawn claims are eligible for rejoinder.

Serial No.: 10/591,411

Claim Rejections - 35 U.S.C. §102

The rejection of Claims 2-4, 7, 8, 22, and 24 under 35 U.S.C. §102(b) as anticipated by the USPTO translation of Vorobyev, Russian patent document 2162692, is moot, as independent Claim 24 has been amended to include limitations of allowable Claim 5.

Claim Rejections - 35 U.S.C. §103

The rejection of Claims 9-13, 15, 16, 23, and 26-28 under 35 U.S.C. §103(a) as being unpatentable over USPTO translation of Vorobyev, Russian patent document 2162692, in view of Ganong, *Rev. of Medical Physiology*, in further view of Trevino et al., U.S. Patent 5,733,526, is moot as Claim 24 has been amended to include allowable subject matter, and Claims 9-13, 15, 16, and 23 depend from Claim 24.

The rejection of Claim 14 under 35 U.S.C. §103(a) as being unpatentable over USPTO translation of Vorobyev, Russian patent document 2162692, in view of Roth et al., U.S. Patent 5,344,393, is moot as Claim 24 has been amended to include allowable subject matter, and Claim 14 depends from Claim 24.

Serial No.: 10/591,411

Allowable Subject Matter

Applicants thank the Examiner for her efforts in determining that Claims 5 and 6 contain allowable subject matter. Claim 24 has been amended to include limitations of Claim 5, thereby placing all claims in condition for allowance.

Conclusion

Applicants sincerely believe that this U.S. Patent Application is now in condition for allowance. Applicants intend to be fully responsive, and request a telephone interview if any further issue remains.

Respectfully submitted,



Mark D. Swanson
Registration No. 48,498

Pauley Petersen & Erickson
2800 West Higgins Road; Suite 365
Hoffman Estates, Illinois 60169
TEL (847) 490-1400
FAX (847) 490-1403